

**Pandemic Supplemental Nutrition Assistance Program (P-SNAP) Benefits
For School Lunch Recipients
Questions and Answers**

This question and answer document responds to questions from State agencies and Regional Offices about FNS' November 6, 2009 memorandum titled "Pandemic SNAP Benefits for School Lunch Recipients".

1. How does the reimbursement to the EBT contractor or the State take place once benefits are redeemed? Will the benefits be drawn from Supplemental Nutrition Assistance Program (SNAP) or child nutrition accounts?

Answer: All benefits are SNAP benefits; reimbursement for P-SNAP benefits does not involve child nutrition accounts in any way.

2. How should State agencies report their P-SNAP issuances?

Answer: State agencies should report their P-SNAP benefits on the FNS-292B form and the FNS-388 form as they currently do for Disaster SNAP benefits. For the FNS-292B, P-SNAP issuances for those households not currently receiving SNAP would be reported in the "new applicant" section of the form and P-SNAP issuances to ongoing SNAP households would be reported in the "ongoing" section of the form. States should report data on the city or county level, instead of by school district. For the FNS-388, P-SNAP issuances would be reported as part of normal SNAP issuances.

3. Which agency, the State Department of Education (DOE) or the State SNAP Agency, is responsible if funds are inappropriately issued to a household?

Answer: The SNAP agency – because the Federal funds are SNAP funds.

4. Which agency, the State DOE or the State SNAP Agency, pays for programming costs and the cost per case month paid to the EBT processor?

Answer: The SNAP agency. Whether the State DOE reimburses the SNAP agency is a State decision. State DOEs should note that reimbursements for P-SNAP related costs are appropriate use of State Administrative Expense funds.

5. Which agency, the State DOE or SNAP agency, pays for additional SNAP agency staffing, systems programming, and other costs affiliated with card issuance?

Answer: The SNAP agency. Whether the State DOE reimburses the SNAP agency is a State decision.

6. Must a State agency's P-SNAP plan include a budget?

Answer: No.

7. Could the State DOE issue the mandatory written notice instead of the SNAP agency?

Answer: No, the SNAP agency must issue the written notice. It is in the State SNAP agency's interest to ensure that all certified households understand that the benefit has been issued by the SNAP agency. The SNAP agency is free to negotiate reimbursement of the cost of issuing notices with their State's DOE, however.

8. If a child lives in a household that receives Food Distribution on Indian Reservations (FDPIR) instead of SNAP benefits, will they still be eligible for P-SNAP benefits, since FDPIR policy prohibits the receipt of both FDPIR and SNAP?

Answer: Households receiving P-SNAP benefits are not considered to be participating in SNAP. Therefore, children in households that receive FDPIR benefits may be eligible for P-SNAP benefits if they attend schools closed due to the pandemic and are certified by those schools for free or reduced price lunches.

9. Are children who normally are not eligible for SNAP, such as ineligible aliens, eligible for P-SNAP? If these children live in a household that is already participating in SNAP, should they be added to the existing SNAP case and should the names of the children be secured in some fashion to prevent them from inadvertently receiving regular SNAP benefits?

Answer: Individual eligibility for P-SNAP is based only on a child's certification for free or reduced price school lunch and no other eligibility criteria may be used for determination of P-SNAP eligibility. If the child lives in a household that is already participating in SNAP, the State agencies should use whatever method of issuance that works best for the State agency and that reduces the risk of a child inadvertently receiving ongoing SNAP benefits for which they are not eligible. FNS suggests the use of one of these three options:

- Not adding the child's name to the SNAP case and simply issuing the P-SNAP benefit as a supplement on the household's existing EBT card; or
- Not adding the child's name to the SNAP case, instead creating a separate certification or issuance file, and issuing benefits to the child's household on a new, separate EBT card; or
- Adding the child's name to the existing SNAP case temporarily, using their State's method of identifying the child as a non-household member.

10. Are we correct in assuming that current SNAP expungement policies apply to the P-SNAP benefits?

Answer: Yes, that is correct.

11. How will the States perform issuance for children who qualify for free- or reduced price lunch, but aren't eligible for SNAP?

Answer: If the State agency opts to provide P-SNAP benefits to all children certified for free or reduced price school lunches, the State agency would issue benefits to children

not already certified for SNAP through a new EBT account. The State will need to create a new EBT account and P-SNAP benefit for each new P-SNAP household. The State can either manually create the new account and P-SNAP benefit using the EBT administrative terminal or they can enter the participant information into the eligibility system, which would automatically create demographic and issuance records to create a new EBT account and P-SNAP benefit for the household. In order to facilitate reconciliation and record keeping, the second method is recommended. The State can provide the EBT card to the household in the same way that they provide the card to any SNAP household, although mailing cards to households may be the most efficient method of providing cards to households and can help reduce crowding in local offices.

12. Can a State operate a Summer Food Service Program or the National School Lunch Program's Seamless Summer Option and a P-SNAP for the same children?

Answer: As stated in the policy memorandum dated November 6, 2009, (Pandemic Supplemental Nutrition Assistance Program (P-SNAP) Benefits for Children Certified as Eligible to Receive Free and Reduced Priced School Lunches During School Closures (SP 05-2010, SFSP 30-2010), children may be eligible for P-SNAP benefits and at the same time be eligible for meals provided through the Summer Food Service Program or Seamless Summer Option under a pandemic waiver authorized by the recent policy memorandum "Responding to School Closings for H1N1 Outbreaks" (SP-31-2009, SFSP 05-2009).

13. Per the Richard B. Russell National School Lunch Act, children in households receiving SNAP benefits are categorically eligible for free school meals. These children may be directly certified or their household may submit an application for free and reduced price meals with their SNAP case number. Is a child whose household receives SNAP benefits but who has not been certified for free school meals (i.e., the child does not appear on the school's roster of free/reduced price children) eligible to receive P-SNAP benefits?

Answer: Yes, the child is eligible for P-SNAP benefits. Even if the school did not identify that child on the roster, the child is still considered categorically eligible, by law, for free meals based on receipt of SNAP benefits.

14. Does "5 consecutive days" refer to school days, calendar days, or other?

Answer: It means school days.

15. May a non-merit employee make the P-SNAP determination?

Answer: Since P-SNAP eligibility is based only on a child's certification for free- or reduced-price lunches and the State DOE will transmit a list of all certified children to the SNAP agency, there is no actual eligibility determination work required by SNAP agency staff. Therefore, it is reasonable and allowable for SNAP agency to use either merit or non-merit personnel for P-SNAP tasks provided that a merit employee is responsible for the final authorization.

16. Is it true that if a child is not a SNAP participant, then the State SNAP agency only needs to capture the number of children in the family who attend the school or schools closed due to the pandemic, i.e., “eligible children”? Is it also true that if the State will issue benefits to children already participating in SNAP, then the State must collect the names of the children?

Answer: That is nearly correct. If the State SNAP agency determines that they are going to issue benefits on new EBT cards to all households with eligible children (whether or not they are already participating in SNAP) then they just need to know the number of children per eligible household and not the children’s names. If the State agency chooses to issue benefits *only* to children already participating in SNAP, then they will need to know those children’s names so that the child’s household’s SNAP account can be identified and benefits issued to the household’s existing EBT card.

17. For California, please confirm that children receiving Supplemental Security Income/Supplemental Supplementary Payments (SSI/SSP) will be eligible for P-SNAP. If they are eligible, should they be added to an existing SNAP EBT card if one exists, using the same process used for SNAP, which requires collecting the child’s name?

Answer: Yes, children who receive SSI/SSP benefits in California can be eligible for P-SNAP benefits. If the child lives in a household that is already participating in SNAP, the State or county should use whatever method of issuance that works best for them and that reduces the risk of a child inadvertently receiving ongoing SNAP benefits for which they are not eligible. FNS suggests one of the following options:

- Not adding the child’s name to the SNAP case and simply issuing the P-SNAP benefit as a supplement on the household’s existing EBT card. If California chooses this option, they just need to know the number of children in that household who attend school or schools closed due to the pandemic.
- Not adding the child’s name to the SNAP case, instead creating a separate certification or issuance file, and issuing benefits to the child’s household on a new, separate EBT card. If California chooses this option, they just need to know the number of children in that household who attend school or schools closed due to the pandemic.
- Adding the child’s name to the existing SNAP case temporarily, using California’s method of identifying the child as a non-household member. If California chooses this option, they will need to collect the children’s names as well as information about their parents or guardians.

18. What is required to terminate/end the P-SNAP? Is timely notice or anything else required?

Answer: No notice of any kind is required if the State agency’s plan included a request to waive all notice and other requirements concerning certification periods and

terminating benefits and FNS approved the plan. This is permitted by the authorizing legislation, which states in Section 746(f):

... the Secretary of Agriculture may approve waivers of the limits on certification periods otherwise applicable under section 3(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(f)), reporting requirements otherwise applicable under section 5(f) of such Act (7 U.S.C. 2014(f)), and other administrative requirements otherwise applicable to State agencies under such Act.

19. What is meant by “how the benefit is to be used” in the instruction to States to “issue a written notice to certified households describing the reason for the P-SNAP benefit, the amount of the benefit, how the benefit is to be used”?

Answer: It means how the household can redeem their benefits, such as where the card can be used and what kind of items can be purchased with the benefits.

20. What should a State agency do if the school closes for reasons not related to the pandemic during the pandemic emergency? This might occur for year-round schools or those with normal summer breaks. For example, if the pandemic closes the school during the last 2 weeks of school, and summer break would usually begin right after that closure, how does that affect P-SNAP eligibility determination?

Answer: Children can only be eligible for P-SNAP for the period of time their school is closed due to the pandemic, not due to normally scheduled breaks, inclement weather, or any other reason. In response to the example, if school was closed due to the pandemic for the 2 weeks of school before summer break begins, the school could issue P-SNAP benefits for the 2 weeks of pandemic-related school closure, but not for any days during the summer break.

21. Is there any special process for students who will complete school (12th grade graduation) during the pandemic closure?

Answer: Children are only eligible for P-SNAP when they are certified eligible for free- or reduced-price lunches. If they graduate, they are no longer students at the school and are no longer certified for free- or reduced price lunches. Therefore, they could not participate in P-SNAP after graduation. This doesn't necessarily mean the date of the actual graduation ceremony, since those sometimes occur before the school year has ended, but the date that they are no longer enrolled in school. Since the school cannot offer P-SNAP benefits after the school year has ended, there should be little chance that a recent graduate no longer enrolled in school will be issued benefits.

22. Is it true that the State SNAP agency must not issue P-SNAP for any time beyond the date a pandemic is no longer in effect?

Answer: The authorizing legislation provides authority to issue P-SNAP benefits only during a pandemic emergency designation, i.e., a declaration of a public health emergency under section 319 of the Public Health Service Act. FNS and State agencies lose the authority to operate P-SNAP once the pandemic emergency designation is rescinded or September 30, 2010, whichever comes first. The State agency cannot provide P-SNAP benefits to children in schools that are closed after the pandemic emergency designation is rescinded. The only instance in which a State agency could issue P-SNAP benefits after the pandemic emergency designation had expired or after September 10, 2010 would be when the school was closed during the pandemic emergency designation, but the pandemic emergency designation expired before the State was able to issue benefits.

23. What happens if the State has a delay in issuance that results in issuing benefits after the school has re-opened? For example, a school closes for 3 weeks and it takes the State 4 weeks to process the P-SNAP benefits.

Answer: The State can issue benefits after the school has re-opened following a pandemic-related closure.

24. Are any potential claims involved with P-SNAP? What if the State SNAP agency issued benefits in error, perhaps approving the wrong number of children in a household or issuing for a wrong number of school days?

Answer: FNS will approve State P-SNAP plans that request a waiver of claims requirements. This is permitted by the authorizing legislation, which states in Section 746(f):

To facilitate implementation of this section, the Secretary of Agriculture may approve waivers of the limits on certification periods otherwise applicable under section 3(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(f)), reporting requirements otherwise applicable under section 5(f) of such Act (7 U.S.C. 2014(f)), and other administrative requirements otherwise applicable to State agencies under such Act.

25. Can Alaska calculate the P-SNAP amount using their reimbursement rate instead of the Federal rate?

Answer: Yes

26. Why can't States offer P-SNAP benefits to compensate children for the loss of breakfast benefits?

Answer: There is no authority to compensate for the loss of school breakfast benefits. The law refers to free or reduced meals received under the Richard B.

Russell National School Lunch Act (42 U.S.C. 1751 et. Seq.), which only covers school lunches.

27. Do State agencies need to include P-SNAP cases in the quality control (QC) sample? If a SNAP household also receives P-SNAP, how should that case be treated for QC purposes?

Answer: P-SNAP benefits will not be included in the review of SNAP QC cases. When reviewing regular SNAP benefits the cases will consider only the amount of issuance as indicated in the FNS 310 Handbook. These do not include P-SNAP benefits.

28. What is the time limit for issuing P-SNAP benefits?

Answer: The State SNAP agency is strongly encouraged to issue benefits to eligible households within 10 calendar days of the first day of school closure but must begin issuing benefits no later than 45 calendar days after the first day of school closure.